

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

CHARLES R. WHEELER, ]  
[  
Plaintiff, ]  
[  
v. ] CV-06-BE-2055-E  
[  
CINGULAR WIRELESS II, LLC, et ]  
al., ]  
[  
Defendants. ]

**ORDER**

This matter is before the court on “Motion for Summary Judgment by WesTower Communications, Inc.” (doc. 114) and “Defendant AT&T Mobility LLC’s Motion for Summary Judgment and Supporting Brief” (doc. 119<sup>1</sup>). For the reasons stated in the memorandum opinion filed contemporaneously with this Order, the court GRANTS the motion for summary judgment of AT&T Mobility, Inc., formerly known as Cingular Wireless, LLC; and GRANTS WesTower’s motion for summary judgment. Thus, the court enters summary judgment in favor of AT&T Mobility, LLC and WesTower Communications, Inc. and dismisses the claims against them with prejudice. The case will proceed against Defendant ALT.

DONE and ORDERED this 7th day of October, 2008.

  
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KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Document 118 is AT&T’s motion for summary judgment in the related Cotton case.